

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

Criminal No. 04-10299-PBS

United States of America

v.

Maria Escobar, Luis DeJesus et al.

Defendants

**DEFENDANT'S MOTION TO CONTINUE TRIAL DATE**

Defendant, Luis DeJesus by his attorney, John Laymon moves this Honorable Court to continue the trial of his case from September 6, 2005 until late October, 2005 due to the unavailability of his trial counsel.

As grounds for this motion, the Defendant, Luis DeJesus asserts that his trial counsel had previously been scheduled for jury trials in the case of Commonwealth v. Michael Nichols, Suffolk Superior Court No. 2004-10510, which is to commence on September 6, 2005. (see attached hereto Notice of Scheduled Appearance, which is marked as Defendant's Exh. A). Thereafter, the undersigned is scheduled to commence a jury trial in the case of Arla Sutherland v. Suffolk County Sheriff's Dept. Lorne Lynch, Maura McDonough, Michael Cawley and Patty Hanley, Suffolk Superior Court. C.A. No. 2003-0849 which commences on September 19, 2005.  
<sup>[1]</sup> Finally, the undersigned is scheduled to commence the jury trial of David Laffey v. Oakley Country Club, Middlesex Superior Court. C.A. No. 2003-02203 on October 11, 2005.

Due to the trials of the aforementioned older cases, the undersigned would be unavailable to commence the trial of the instant case on September 6, 2005. Thus, Defendant requests a continuance of his trial in order that his counsel can attend and represent him.<sup>[2]</sup>

Luis DeJesus

By his attorney

/s/ John W. Laymon

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¶ It should be noted that this discrimination case involve incidents from April, 2000, has three attorneys representing the various parties and it has been continued several times including the last continuance by the Court from August 1, 2005.

¶ This case was continued by the Middlesex Superior Court from May 11, 2005 to October 11, 2005.